

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARY CASTRO,

No. C-14-1796 MMC

Plaintiff,

**ORDER ADOPTING REPORT AND
RECOMMENDATION; DISMISSING
COMPLAINT**

v.

CITY OF UNION CITY, et al.,

Defendants.

Before the Court is the Report and Recommendation, filed May 16, 2014, by which Magistrate Judge Maria Elena James recommends that the complaint filed in the above-titled action, Civil Case No. 14-1796, be dismissed as duplicative of the complaint filed by plaintiff in Civil Case No. 14-0272. Also before the Court are plaintiff's objections thereto, filed May 30, 2014. Having read and considered the Report and Recommendation and plaintiff's objections, the Court rules as follows.

As the Report and Recommendation correctly observes, all causes of action and relief sought in the above-titled action are the same as the causes of action and relief sought in Civil Case No. 14-0272. The two cases are, in all material respects, identical.

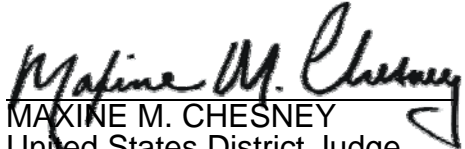
Accordingly, the Court hereby ADOPTS the Report and Recommendation in full, and, for the reasons stated therein, hereby DISMISSES the complaint filed in Civil Case No. 14-1796 as duplicative of the complaint filed in Civil Case No. 14-0272.

1 The Clerk is hereby DIRECTED to close Civil Case No. 14-1796.

2 Plaintiff may continue to pursue his claims as alleged in Civil Case No. 14-0272.

3 **IT IS SO ORDERED.**

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5 Dated: June 13, 2014

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MAXINE M. CHESNEY
United States District Judge